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 UNITED STATES FIDELITY AND GUARANTY  
 6 COMPANY, et al.

7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

10  
 11 UNITED STATES FIDELITY AND  
 GUARANTY COMPANY, et al.,

12 Plaintiffs,

13 v.

14 THE SCOTT COMPANIES, INC., et al.,

15 Defendants.

Case No. C03-5376-SBA (EMC)  
 (RELATED CASE)

16  
 17 UNITED STATES FIDELITY AND  
 GUARANTY COMPANY, et al.,

18 Plaintiffs,

19 v.

20 ROBERT NURISSO, et al.,

21 Defendants.

Case No. C06-5590 EMC  
 (RELATED CASE)

**STIPULATION AND ORDER RE:  
 LIFTING TRO FOR LIMITED PURPOSE  
 OF PERMITTING JOSEPH GUGLIELMO  
 TO PAY BANK OF AMERICA ACCOUNT  
 FUNDS TO PLAINTIFFS ; ORDER**

22  
 23 Plaintiffs United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance  
 24 Company, St. Paul Fire and Marine Insurance Company and St. Paul Medical Liability Insurance  
 25 Company (collectively, "Plaintiffs") and Defendant Joseph Guglielmo, by and through their  
 26 counsel of record, stipulate and agree as follows:

27 ...

WHEREAS,

- A. On September 22, 2006, a Stipulation and Order Re: Issuance Of Temporary Restraining Order ("TRO") was entered in the instant action.
- B. There are funds in the amount of \$68,013.82 held in Bank of America bank account no. 05255-40012 that is in the name of Guggs Investments, LP and/or Joseph Guglielmo ("Bank Funds") that are subject to the TRO.
- C. A Judgment dated June 1, 2007 ("Judgment") and an Order Granting in Part and Denying in Part Plaintiffs' Motion for Attorneys' Fees, Expenses, and Costs dated September 18, 2007 ("Order") were both entered in favor of Plaintiffs and against Guglielmo in both of these actions.
- D. Plaintiffs, Guglielmo and Guggs Investments, LP have agreed that the Bank Funds will be paid to Plaintiffs to satisfy a portion of the amounts owed Plaintiffs under the Judgments and Orders.

WHEREFORE, Plaintiffs, Guglielmo and Guggs Investments, LP agree that, as to the Bank Funds only, the TRO will be lifted so that the funds can be paid to Plaintiffs.

IT IS SO STIPULATED.

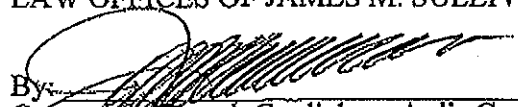
Dated: ~~July~~, 2008  
August 5, 2008

WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P.

By:   
Counsel for Plaintiffs

Dated: July 31, 2008

LAW OFFICES OF JAMES M. SULLIVAN, INC.

By:   
Counsel for Joseph Guglielmo, Ardis Guglielmo  
and Guggs Investments, LP

Dated: July 31, 2008

Joseph Guglielmo

By: 

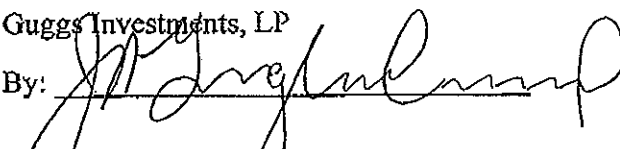
1 Dated: July \_\_, 2008

Ardis Guglielmo

2 By: \_\_\_\_\_

3  
4 Dated: July 31, 2008

Guggs Investments, LP

5 By: 

6 Printed: JOE GUGLIELMO  
7 Its: General Partner

8 **ORDER**

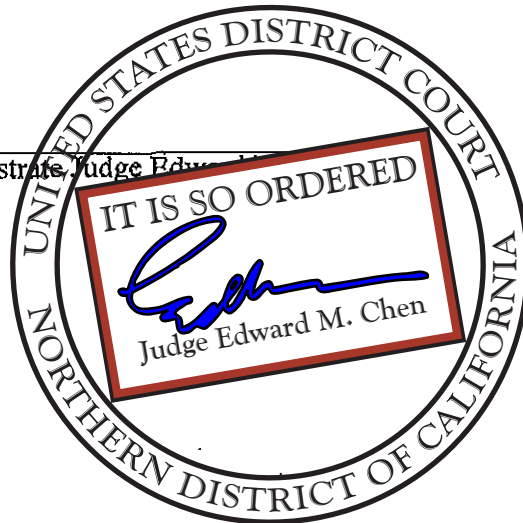
9  
10 Based upon the foregoing stipulation, and good cause appearing therefore, the Court  
11 orders that the temporary restraining order entered on September 22, 2006 be lifted only with  
12 respect to the \$68,013.82 held in Bank of America bank account no. 05255-40012, so that said  
13 funds can be immediately paid to Plaintiffs.

14 IT IS SO ORDERED.

15 August 6, 2008

16 Dated July \_\_, 2008

17 Magistrate Judge Edward M. Chen



1 Dated: July\_\_\_\_, 2008

Ardis Guglielmo

2  
3 By: 

4 Dated: July\_\_\_\_, 2008

Guggs Investments, LP

5 By: \_\_\_\_\_

6 Printed: \_\_\_\_\_

7 Its: General Partner

8 **ORDER**

9  
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12 respect to the \$68,013.82 held in Bank of America bank account no. 05255-40012, so that said  
13 funds can be immediately paid to Plaintiffs.

14 IT IS SO ORDERED.

15  
16 Dated July\_\_\_\_, 2008.

17 Magistrate Judge Edward M. Chen